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LAW OF THE SEA

Report of the Secretary-General

Addendum

LETTER DATED 27 DECEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF THE PEOPLE'S REPUBLIC OF CHINA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

[Original: Chinese]

Upon instructions of my Government, I have the honour to bring to your attention the following errors appearing in paragraphs 260 and 261 of the Secretary-General's report on the law of the sea (A/51/645), and urge that immediate and effective measures be taken to correct them:

1. The Diaoyu Island and all the islands appertaining thereto have been part of China's territory since ancient times, which has been justified by historical facts and international law. In the aforementioned report, however, the Diaoyu Islands are erroneously described as under Japan's "effective control", which term carries a specific meaning under international law.

2. The Diaoyu Island and all the islands appertaining thereto are located about 92 miles north-east of Jilong City of China's Taiwan Province. In the report, nevertheless, they are said to be "located about 200 miles east of the Chinese coast", which could be understood as excluding China's Taiwan Province from the Chinese territory.

3. It is presumed in the report "that a main reason the islands have become the focus of such attention is that surveys have suggested there may be large oil reserves nearby", while what actually brings the issue of the Diaoyu Islands to the focus of attention once again is the provocative actions by a group of Japanese right-wingers who set up a lighthouse and a Japanese flag on the islands in July of this year.

I further have the honour to request that Your Excellency respond with a letter and have my letter officially circulated as an addendum to the Secretary-General's report on the law of the sea (A/51/645).

(Signed) QIN Huasun

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LETTER DATED 30 DECEMBER 1996 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PERMANENT REPRESENTATIVE OF THE PEOPLE'S REPUBLIC OF CHINA TO THE UNITED NATIONS

[Original: English]

In response to your letter of 27 December 1996, I have the honour to inform you as follows:

With respect to the location of the Diaoyu Islands, I wish to assure you that the formulation used in the repo: to which your letter refers should in no way be understood as derogating from e official position of the United Nations with respect to the lawful rights of the People's Republic of China as set out in General Assembly resolution 2758 (XXVI) of 25 October 1971.

As concerns the other matters dealt with in your letter, I take note of the position of your Government. I should in this context like to emphasize that the purpose of the report, which contains references to eight different maritime disputes, is simply to inform about the existence of the disputes, and that it should not be interpreted as taking a position in the disputes referred to.

I have decided to issue your letter and my response as an addendum to the report.

(Signed) Boutros BOUTROS-GHALI